

CHRISTOPHER PHELPS &  
ASSOCIATES, INC.,  
  
Plaintiff,  
  
vs.  
  
R. WAYNE GALLOWAY,  
  
Defendant.

This matter is before the court upon its own motion. After the court entered its Order of July 27, 2005 ruling on Plaintiff's Motion to Compel Discovery, Defendant filed a Surreply clarifying his intent with regard to the issue of financial burden. Defendant has represented to the court that he has no intention of introducing any evidence as to financial hardship caused by this litigation. Accordingly, the court hereby AMENDS the last paragraph of its July 27, 2005 Order to read that "the parties will not be permitted to introduce evidence regarding Defendant's finances or financial status, evidence tending to show that Defendant has or has not sustained financial hardship as a result of this litigation, or circumstances arising out of this litigation, including, for example, where or under what conditions the Defendant presently resides, and whether or not Defendant has had to borrow money to finance this litigation."

IT IS SO ORDERED.

**Signed: August 1, 2005**

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
Chief United States District Judge

